

Draft Minutes of the
Delta Protection Commission
Thursday, September 23, 2004

1. Call to Order/Roll Call

Vice Chairman Ferguson called the meeting to order at 6:40 p.m.

Present: Vice Chairman Ferguson, Commissioners Beltran, Cabaldon, Calone, Curtis, Johnson, McGowan, Shaffer, Sturm, van Loben Sels and Wilson. (A quorum was reached at 7:25 p.m.)

Absent: Chairman McCarty, Commissioners Coglianese, Forney, Glover, Kelly, Nottoli, Ornellas, and Sanders.

2. Public Comment

Bill Jennings, DeltaKeeper said that there is no compiled data of the water problems facing the Sacramento-San Joaquin River Delta. He described a new referenced a report by Dr. G. Fred Lee entitled "Overview of the Sacramento-San Joaquin River Delta Water Quality Issues". The report has gone through many drafts and has been circulated to various individuals and agencies for review and comment. He said the State lacks the monitoring and data to understand how the Delta responds to major changes in flow and water quality. The Operations Criteria and Plan (OCAP) and the South Delta Project are two proposed projects that will alter the hydraulic regime of the Central Valley, and if implemented, the projects will change the transport of numerous chemical constituents, yielding effects of toxic contaminants on human health, aquatic environment and the watershed. He further stated that the lack of a comprehensive water quality monitoring program precludes any scientifically justifiable environmental evaluations of the projects. He provided the Commission with a copy of the report.

3. Minutes of the Last Meeting

Commissioner van Loben Sels moved approval of the minutes; Commissioner Wilson seconded. The minutes were approved by voice vote.

4. Chairman's Report

Vice-Chairman Ferguson announced that staff made arrangements for a boat tour to Liberty Island on Thursday, October 28, 2004. The tour will be given by Dr. Jeff Hart of Hart Restoration.

The next meeting of the Delta Protection Commission is scheduled for Thursday, November 18, 2004, 6:30 p.m., Jean Harvie Community Center.

5. Commissioner Comments/Announcements

Commissioner Shaffer announced that the next Working Landscapes Subcommittee would be held October 7, 2004, 9:00 a.m. at the Department of Food and Agriculture. Agenda items include the draft ten-year financing plan for CALFED and review of the recommendations of the Payment in Lieu of Taxes Subcommittee.

Commissioner Johnson noted that invasive aquatic species, particularly continue to threaten use of the Delta waterways.

6. Attorney General's Report

Dan Siegel had no report.

7. Executive Director's Report

Ms. Aramburu announced that the Jones Tract water elevation has dropped by 8.7 feet. Crews have pumped out over 86,000 acre feet and 29,000 ac feet is left to be pumped out. Completion of the pump out is expected by mid October.

The Delta Resource Conservation and Development (RC&D) Council held its first meeting, adopted bylaws, and elected its officers. The RC&D received \$15,000 from NRCS to help with startup funding. Additionally, an RC&D application with the US Department of Agriculture, for funding for a full time staff person is still pending due to federal budget constraints.

The Coast Guard, through the Department of Boating and Waterway has provided grant funds for the water-based portion of the Delta Recreation Master Plan. The Dangermond Group was awarded the contract to produce the final product, which is due in June 2005. Commission staff is still seeking funds for the land-based portion of the Plan.

Ms. Aramburu announced that she and Commissioner McGowan met with the Mayor of the City of Elk Grove, the Planning Director and the City Attorney regarding a definition of what is proposed for the lands in the Primary Zone that are included within the City's adopted planning area. She said that she is awaiting a letter from the City regarding the outcome of that meeting.

The election for Reclamation District members of the Commission is proceeding with the successful candidates will be announced at the November 18, 2004 meeting.

Central Valley Habitat Joint Venture has released a technical guide entitled Best Management Practices for Mosquito Control and Managed Wetlands.

After loosing their court cases, the owners of illegally constructed houses on Salisbury Island (Contra Costa County) have agreed to remove those houses.

Contra Costa County had an election on open space tax; the measure was defeated.

The Hog Island project in San Joaquin is starting anew planning phase. has been approved. The non profit group has obtained a lease with the Port of Stockton to use the Port's property. A kick-off event is scheduled for October 8, 2004 and Commissioners have been invited. Ben Hulse, formerly the Community Development Director for San Joaquin County has been retained as a consultant to help the group obtain permits.

The Department of Fish and Game (DFG), with the help of Ducks Unlimited is administering a new federal landowner incentive program. DFG is seeking additional applicants and those interested should contact Ms. Aramburu.

Commissioner Shaffer asked if the Delta RC&D application was pending or would there need to be a new application. Ms. Aramburu responded that the application was pending and staff would send an update letter indicating that the RC&D board has been formed.

8. CALFED Update

Ron Ott, CALFED staff, updated the Commission:

Delta Levees and Habitat Advisory Subcommittee will meet October 1, 2004 to discuss their draft financial plan for the next ten years

Independent Science Board met September 21-23. Topics of discussion included In-Delta improvements, water quality monitoring, the DeltaKeeper monitoring, levees, subsidence, and coastal seawater rise and how it effects the Delta.

California Bay-Delta Authority will meet October 13-14. Dr. Jeff Mount from UC Davis will be the featured speaker.

Commissioner Shaffer announced that a workshop was currently being held that focused on a new program solicitation package for the monitoring of past ecosystem restoration projects and/or actions. Proposals are due November 19, 2004.

Commissioner Johnson reported that the Department of Boating and Waterways (DBW) wrote a letter to Patrick Wright addressing a statement in CALFED's financial plan that boaters should contribute 40 percent to Delta levee improvements. He said that since CALFED acknowledged that there was no documentation to support the statement, the statement should be stricken from the report. He said that DBW has not received a response to the letter and asked if Mr. Ott knew anything about it. Mr. Ott responded that he did not know the answer to the question; however, CALFED was very aware of the issue since it received numerous letters regarding that statement.

9. Report on California Performance Review (CPR) Recommendations

Ms. Aramburu reported that the CPR released its report earlier in the summer. A commission has been appointed by the Governor and is holding a series of hearings throughout the State—with the most recent hearing being held in Fresno on environmental and ecosystem issues and the last hearing in Davis to discuss government reorganization. She noted that the report recommends elimination of the Delta Protection Commission and transfers DPC duties and functions to the new Natural Resources Department. She outlined three alternatives the DPC could support: (1) recommend that a standing committee be appointed that would have an active role to provide for input/participation between the public and the Director of the new Natural Resources Department through regular meetings; (2) recommend that the DPC be transferred to another commission, (similar in mission and program as the San Francisco Bay Conservation

Development Commission) which would have the ability to hear appeals; or (3) recommend that the DPC continue in its current form, however, with the addition of three new members.

Commissioner van Loben Sels asked Commissioner Shaffer, who worked on the CPR team, if the CPR report recommended elimination of all boards and commissions. Commissioner Shaffer responded that he was not part of any discussions regarding elimination of the DPC. He said that the theme of the CPR was to look at eliminating most boards and commissions in general. He said he attended several of the public hearings, and at each meeting, expert panels and/or stakeholder groups provided comments on reorganization and specific recommendations. He said many of the comments echoed Ms. Aramburu's sentiment that while eliminating the low cost boards and commissions would save some money, the State as a whole would lose expertise. He also said that the CPR Commission heard testimony that some of the boards and commissions in question were not accountable. He said he felt the whole process was dynamic but reminded the DPC that the report was still in the proposal stage, as the CPR Commission will make recommendations to the Governor, but what the Governor will do remains to be seen. He said the DPC and members of the public should craft recommendations and submit to the CPR. He suggested that people attend the meetings, but reminded them that the meetings are structured and time is strict on public testimony. He said that public comments would be accepted until close of business on September 30, 2004.

Ms. Aramburu added that the goal of the CPR was to save money, streamline government, and enhance services to the public. She stated that two of the goals could not happen because DPC staff, functions, and responsibilities would remain; however, the public would have no forum for participating in the planning and regulatory processes of Delta issues.

Commissioner van Loben Sels said that he felt the DPC should stay its course and use the same plan with the CPR Commission that it used to convince the Legislature to allow the DPC to remain intact.

Commissioners agreed.

Vice Chairman Ferguson opened the public hearing.

Bill Jennings, Deltakeeper, commented that the CPR process is seriously flawed, as it is not an open process. He said the report was prepared by those with no knowledge of the issues—particularly with water issues—and found it unique that dischargers and environmentalists were in accord on their opinions of the report. He also said the task was not an easy one and it would take years to go through a formal process. He encouraged the DPC and public to support the process but not truncate it.

Vice Chairman closed the public hearing.

It was moved by Commissioner Wilson and seconded by Commission Calone that the Commission submit comments on the CPR report suggested the DPC be retained. Commissioners Johnson and Sturm abstained.

10. Update on Pending Legislation

Ms. Aramburu reported that Senate Bill 86 and Assembly Bill 2476 were approved; however, neither bill has been signed by the Governor. Changes in SB 86 include modifications to keep the Commission in its role of participating in the decision-making process for conservancy grants. The bill also adds a pre-planning process for the DPC and Conservancy to jointly prepare a program guide. Changes in AB 2476 include the deletion of the proposed membership additions. Ms. Aramburu also reported that AB 107, a new bill that has been drafted, would give additional power to the Reclamation Board to control structures on levees throughout the watershed.

11. Adoption of the Environmental Justice Policy

This item was carried over from the July meeting. All comments and changes have been incorporated into the Draft Environmental Justice Policy. There were no public comments.

Commissioner Cabaldon moved approval of the Environmental Justice Policy; Commissioner Wilson seconded. The Environmental Justice Policy was approved by voice vote. There were no public comments.

12. Adoption of Budget and Work Plan for FY 2004-05

This item was carried over from the July meeting. All comments/changes have been incorporated.

Commissioner Beltran moved approval of the Budget and Work Plan for FY 2004-05; Commissioner Calone seconded. The Budget and Work Plan were approved by voice vote.

13. Report on Sphere of Influence of Cities in the Secondary Zone of the Delta

Ms. Aramburu reported that for several months the DPC has been discussing land use issues in the Primary and Secondary Zones and how the Spheres of Influence (SOI's) have changed within the last ten years. She stated that many SOI's have remained the same; Contra Costa County recently modified its urban limit line by making it smaller; the City of Sacramento annexed the Town of Freeport; the City of Stockton included most of Bishop Tract and the eastern portion of Shima Tract in its SOI; and new cities include the City of Oakley and the City of Elk Grove. She said she is still in the process of receiving updated information from the LAFCO's. There was no discussion of this agenda item, there was no public comment. No action was required.

14. Report from Delta Land Use Impacts Committee Regarding Review of Projects in the Primary and Secondary Zones

Ms. Aramburu reported that the Committee has continued to meet and has scheduled a meeting in October. The Committee has reviewed the DPC's policies for reviewing past projects, and will come up with a revised recommendation for the types and locations of projects that staff will present comments on and focus on in the future. She said the Committee discussed the geographical location of projects to be able to define (a) projects outside the Primary Zone that would impact the resources of the Primary Zone, and (b) projects directly adjacent to the Primary Zone boundary (1,000 feet). Ms. Aramburu said the Committee planned to come back to the DPC with a recommendation and asked for feedback.

Commissioner van Loben Sels said the committee's work has been thoughtful and methodical. He said he is pleased with the success to date.

Vice Chairman Ferguson opened the public hearing.

Harry Moore said that he has provided articles for the purpose of documenting the history on Delta subsidence. He said that at least 5,200 square miles of the Central Valley has subsided and subjects such as fresh water input, subsidence and silting are not being addressed when discussing the Delta.

Vice Chairman Ferguson closed the public hearing.

Commissioner Cabaldon commented that there were quite a few projects in the DPC's "zone of concern" and asked if there was a mechanism in place by which projects can be presented to the Committee for review. He suggested defining the "concern" issues and suggested including regional transportation plans as projects to be reviewed. Ms. Aramburu responded that the Committee was becoming more aggressive in extending invitations to projects to make presentations; however, the Committee still needed to define the category of projects it would like to review.

Commissioner Shaffer said he was comfortable with the table but commented that the section under Williamson Act Contracts description needs more fleshing out because it does not describe the full range of actions that are possible under the contracts.

Vice Chairman Ferguson directed staff to report to the DPC at the November meeting.

15. Plan to Update the Land Use and Resource Management Plan for the Primary Zone of the Delta: Utilities and Infrastructure and Levees

Ms. Aramburu reported that the DPC was directed by the Legislature to report on the status of its review of its Management Plan. She said she wanted the DPC to review each section and set up a meeting and workshop and report back to the DPC for discussion and changes. She said some of the issues will have to wait, but she planned on meeting with agricultural interests about reviving a Delta agriculture study.

Vice Chairman Ferguson said he would support deferring the review to the Land Use Impacts Committee. Ms. Aramburu responded that it could be too much responsibility for the Committee and she would support conducting several workshops where Commissioners, experts, and the general public could participate.

Commissioner Beltran stated that he felt staff should set a meeting for the month of October and volunteered to attend.

Commissioner Cabaldon said there were other stakeholder groups that were interested in the work of the DPC. He said that instead of having many meetings on the issue, the DPC should have only one meeting, with a panel of people representing different groups that could provide their feelings on the state of the Land Use Plan, in order to get the "big picture" changes that are

necessary. He further stated that he recognizes the fact the DPC is limited in staff, but it should aggressively and expeditiously pursue that representation.

Commissioner Curtis commented that since the issues in the plan are broad and represent a broad spectrum of the DPC, he felt there would be a broad involvement of Commissioners rather than a small subcommittee. He said all Commissioners should be involved in the process since no one commissioner has expertise in all the issues.

Vice Chairman Ferguson directed staff to send notices to those on the mailing list to advise them that the update process will begin and seek their input for refinement of the plan, and to invite a panel for the next meeting.

16. Liberty Island: Strategies for Ownership and Management

Ms. Aramburu reported that Liberty Island is part of an area being proposed for a North Delta National Wildlife Refuge; however, the refuge boundary was never defined. The property was purchased with CALFED funds. At the time, it was thought that the refuge boundary would be adopted in a short timeframe, so the money was transferred to Trust for Public Lands (TPL), a non profit who assists in acquisition of properties. Since TPL is not set up to have long term management of the property, it is trying to find another entity to take over long term ownership of the lands. Ms. Aramburu encouraged the Commissioners to continue to think about the Island as a large piece of property in the Primary Zone where the levee has not been maintained and the island is covered in water. She said ideas of what to do with the property include State ownership vs. Federal ownership; the Commission previously took a position that supported State ownership. Possible entities to own and manage the island include Department of Fish and Game, the Cosumnes River Preserve, or a non-profit run by Hartland Nursery. Additionally, it was expressed by Solano County that it could partner with another entity and help manage the lands for recreational uses.

Commissioner van Loben Sels said he reviewed the history of the properties in the Bypass. He said the DPC said did vote in favor of State ownership over Federal. However, in the case of the Glide property, the DPC voted to support the transfer of the 15,000 acre property to DFG. He said it was thought the North Delta Water Agency concerns of DFG continuing to pay taxes would be addressed. He said that legislation stated that DFG would pay in lieu taxes if their budget allows; but to date, North Delta Water Agency has received no tax income from the properties since the transfer. He said that if the DPC voted to transfer Liberty Island to a State or Federal agency, it would undercut something it is trying to preserve and protect—namely the tax base. He said he would like to see Liberty Island stay with The Nature Conservancy or TPL because those entities tend to pay their bills.

Commissioner Curtis agreed with Commissioner van Loben Sels. The law states that DFG will pay in lieu taxes only if the Legislature appropriates the funds, which they have not since the State is in a budget crisis. Commissioner Curtis said he was concerned because Liberty Island under TPL ownership has been idle. Furthermore, there are two private landowners who have had CALFED money offered to buy them out but CALFED will not issue the grant funds until a long term landowner is found, and TPL does not qualify. This in turn is holding up SAFCA bringing Liberty into the Yolo Bypass flood control program. He said that if DFG owned

Liberty Island, it would be able to facilitate the projects placed on hold by CALFED. DFG's concerned that if it took ownership there would be a long-term obligation for levee maintenance. DFG does not have the funds and cannot take on the obligation unless there is some sort of guarantee to cover the costs. They are concerned that freeing up flood flows across the island might stimulate vegetation growth and they would be required to control the vegetation. Lastly, he said that there should be some form of cleanup of the farm equipment, power lines, and underground tanks. He said if those issues could be resolved, then DFG could look at taking over the island or pay the fees unless the Legislature appropriates the funds. He hoped there were opportunities to build partnerships with various governmental agencies and non profits to help cover the fees or pay the in lieu taxes. CALFED is reluctant to make long term funding commitment to levee maintenance. DFG has no reservations about paying taxes and fees; however, the Legislature has not appropriated the money. He also said he wanted to move the Island forward, especially to see where it fits into the eco-system restoration program and develop a collaborative process similar to the one in the Glide property.

Commissioner Calone commented that the whole system does not make sense to him because DFG complains about the lack of money, but does not stop buying property in the Yolo Bypass, thereby removing that tax base. He said DFG could sell back some of the land to private enterprise to replenish the tax base. He said he is seeing more and more that State agencies buy land and keep citizens from enjoying it.

Commissioner Curtis responded that this was a frustration to him also. However, bond acts passed in the State have restrictions that specify the bonds are to be used for land acquisition only, and if the lands were sold, the money would have to go for future acquisitions. He said his concern has always been that there has been very little money for operation, maintenance, and payment of fees. Additionally, he said that if bond acts were modified to provide for operation, maintenance and payment of fees, then DFG would be able to return the land to private ownership. He said that with respect to Yolo and the Glide Ranch property, DFG has been able to utilize some of the land in agricultural leases and use the money to handle operation and maintenance, but not pay the in-lieu fees because that money has been allocated to a specific line item.

Commissioner Shaffer commented that one approach to solving the problem would be for bond dollars to be used for buying easements rather than fee-title acquisition. He said he saw this as an opportunity to sell back with an easement to establish the public-private partnerships for private management of the land. This would help solve the problem but would have to be looked at on a case-by-case basis. He asked if there was an opportunity to use Liberty Island and other "stranded assets" to do scientific investigations for the purpose of restoration.

Vice Chairman Ferguson opened the public hearing.

Brad Burkholder, DFG staff, described the on-going research projects on Liberty Island. He described interest from other agencies, including SAFCA. Commissioner Wilson offered comments regarding ways to maximize flood control in the Southern Bypass. Vice Chairman Ferguson closed the public hearing.

Vice Chairman Ferguson thanked Commissioner Curtis and Mr. Burkholder for presenting the information on Liberty Island.

17. Clarksburg Sugar Mill Specific Plan

Ms. Aramburu reported that the Clarksburg Sugar Mill is a project located in the Primary Zone. The project will have local review by Yolo County and is appealable to the Commission. The Draft Environmental Impact Report (DEIR) has been released and comments are due October 25, 2004. The project currently consists of 106 acres currently zoned into heavy industrial and is now being proposed for mixed use. The Northern portion of the property is proposed to be a sewage treatment plant, wastewater storage pond, land disposal of treated wastewater, and holding pond for surface runoff. The Southern portion of the property is proposed for 145 residential dwelling units to encompass single family and senior housing with the reuse of the existing brick Mill building for office space. Ms. Aramburu asked for input from staff to identify the key issues when preparing the comments on the DEIR. She said that the focus should be on utilities, infrastructure, land use, agriculture, and water quality issues.

Commissioner van Loben Sels asked how specific the DPC should suggesting alternatives; and if there are no alternatives that meet the needs of the community, could the DPC suggest one that does fit. He suggested that the DPC should reemphasize its P-3 and P-4 policy statements since the project violates those two policies. He further stated that the DPC's role was to preserve and protect the history and culture of Clarksburg, as the city needed limited growth, but the growth proposed under this project was far above the historical growth. He said he felt the need for the project was driven by something outside of the community other than growth. Mr. Siegel responded that the DPC can express concerns that specific alternatives are not consistent with the Management Plan, and can suggest suitable alternatives.

Commissioner Cabaldon warned that since the project the might come before the DPC on appeal, the DPC should be careful not to undercut its ability as an appellate body by prejudging the project. He urged the DPC not to send any written comments, beyond comments on the DEIR, in order to give those involved in the project a fair hearing.

Commissioner Shaffer said the DPC could identify potential issues beforehand to avoid a contentious appellate process.

Vice Chairman Ferguson opened the public hearing.

Peggy Bohl, Clarksburg said that her group submitted their concerns via their EIR consultant and attorney Mr. James Pachl. She stated that while the group loved the idea of the winery, it disagreed with the proposed thirty acres of residential, commercial and industrial development, as it is an urban model in a rural area. She further stated that the sewage treatment plant was inappropriate and the high density and increased traffic reflected areas more like Elk Grove or Natomas. She urged the DPC to look at buffers when submitting comments on the project and said her group would be sending in more comments as the process evolved.

Russell van Loben Sels, Clarksburg, said the proposed development is dramatic because the project would exceed the annual growth rate of Clarksburg by 5,500 percent. He said that there

was the potential for contaminating ground water by the proposed sewage treatment plant because it would have discharges into Lake Winchester. He also said the proposals for the sewage treatment plant have not been demonstrated to work at the Sugar Mill site and encouraged the DPC to take a position on the project as to not mislead the applicants that the project is possible. The project should be a collaborative effort between the applicants and the community.

John Bohl, Concerned Citizens of Clarksburg, said that in all fairness, it was the duty of the DPC to be candid and advise the applicant of the hurdles it would have to clear to pass muster with the Delta Protection Act. Mr. Bohl said that Clarksburg is part of the Delta—not a suburb of Sacramento—and as such has an obligation to its neighbors to the South, not to take on an “unwarranted” risk of wastewater treatment and growth that is entertained by the applicant. He said the DPC should maintain its integrity and take note of the communities to the south of the city.

Katherine Merwin, Clarksburg gave a short history on the City of Clarksburg. She said the city was made up of two islands—Merritt and RD 99. She said she is concerned with because Lake Winchester is mentioned as just providing water to nearby ag lands. RD 99 siphons water from the Sac river into Winchester Lake. Another point is the vineyard across from the proposed development is in an agriculture easement and will need a setback of more than 75 ft to protect the acreage.

Peter Simpson said that the town does like certain aspects of the project, but on the whole, the project will exceed the growth rate of the Clarksburg General Plan. He said the project goes beyond the ability of the infrastructure of the community to maintain itself. He said the DEIR contains inaccurate statements that need to be corrected. He said he respected the DPC’s restraint as a body to review decisions and urged the group to use its position to ask for the corrections on the DEIR before the document becomes final.

Vice Chairman Ferguson closed the public hearing.

Mr. Seigel said he wanted to revise his earlier recommendations that the DPC express its concerns on the project. He agreed with Commissioner Cabaldon’s statement that the DPC hold any comments on the project itself. Since the matter could come before the DPC on appeal, he said it would be prudent not to have a formal position as to whether the project was consistent/not consistent with the Land Use Plan before the appeal. He said having the project on the agenda was totally appropriate and it is possible for the DPC to comment on CEQA issues to the extent that those issues might not come before the DPC.

Commissioner Wilson commented that it is likely the project will be appealed.

Commissioner van Loben Sels commented that the DPC should be very emphatic about its concerns on the project and provide adequate comments. He said the DPC should lay out the policies to the applicants beforehand so that they do not violate the codes.

Mr. Seigel said it was appropriate for the DPC to lay out the key portions of the plan that are relevant to the project, but to be careful not to prejudge the actions taken.

Commissioner Beltran asked if it would be appropriate for the DPC to sent a letter stating that it would only support or endorse any projects conforming with the Delta Protection Act. He said he felt the project was consistent with the Land Use Plan, but was not comfortable with the proposed sewage treatment facility.

Mr. Siegel said that would be an unwise decision because the DPC could serve in a quasi-judiciary capacity and must be unbiased to the project. He said that if DPC makes comments beforehand and the project comes to the DPC on appeal, then the parties could say that they did not get a fair hearing.

Commissioner Cabaldon commented that the issues in Ms. Aramburu' earlier comment letter were appropriate and the letter lays out the rules of the Management Plan. He then asked if Winchester Lake was a full body contact lake. Ms. Aramburu responded that she did not know the answer but would find out.

Commissioner Shaffer commented that the comment letter was laid out very well, but felt the task now was to evaluate the DEIR's responsiveness to the issues. He said it would wise for staff to evaluate the DEIR thoroughly in its response to the NOP letter. This would reinforce the policies in the Land Use Plan.

Commissioner Johnson asked if there was a precedent on this project. Ms. Aramburu said that there was none. She said that the DPC has seen all types of projects (big and small), this was by far the largest project in the Primary Zone to date.

Commissioner Cabaldon said that the DPC should remember that it may not be a good idea to have projects come to the DPC for pre-hearing vetting because it makes it difficult to maintain its appellate function. He said the process seems to constrain the DPC from commenting as aggressively as it should and the DPC should think about reviewing Primary Zone issues.

Vice Chairman Ferguson directed staff to add the issue of Historic and cultural values to the list of issues and for staff to propose and submit a comment letter on the DEIR.

18. Adjourn

The meeting was adjourned at 9:20 p.m.